

THE HONORABLE BODY
 Council Chambers
 Municipal Building
 North Tonawanda, New York 14120
 Tuesday, April 20, 1999
 7:00 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT REIDENOUE

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Reidenouer
 Aldermen Schwandt, Wudyka, Barberio, Kiedrowski

Absent: None

Also Present: Mayor Ronald R. Dawson
 City Attorney Henry F. Wojtaszek

APPROVAL OF THE MINUTES OF THE REGULAR SESSION APRIL 6, 1999

MOVED by Alderman Schwandt **SECONDED** by Alderman Barberio
 That the minutes of the regular session held April 6, 1999 be approved as circulated and
 filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSIONS MARCH 23 & APRIL 6, 1999

MOVED by Alderman Barberio **SECONDED** by Alderman Schwandt
 That the minutes of the special sessions held March 23 & April 6, 1999 be approved as
 circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED MARCH 22, 1999

- 1) 1999 Serial Bond Resolution
- 2) CATS Ordinance - City Clerk
- 3) Abandoned Vehicle Ordinance - City Clerk

PROOF OF PUBLICATION PUBLISHED APRIL 1, 1999

- 1) Bid - Tire Disposal - DPW

MOVED by Alderman Barberio **SECONDED** by Alderman Wudyka
 That the aforementioned proofs of publication be received and filed.
CARRIED.

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller St., thanked the Mayor for his comments regarding the Turecki tax agreement, wanted to know the specifics about the agreement, and suggested that cats should be licensed.

Ray Stanley, 296 Sweeney St., commented that Turecki would not live up to this new tax agreement.

Bill Paton, 55- 5th Ave., wanted to know what the Mayor's alternate solution would be to the Turecki tax agreement.

Gordon Fritz, 1727 Eddy Dr., spoke against the Turecki tax agreement.

Kathy Cochran, 462 Adelaide Pl., wanted to know if Turecki removed all the copper & steel in the Roblin Steel Plant.

COMMUNICATIONS FROM CITY OFFICIALS

**I.1
Mayor**

April 14, 1999

**Common Council
City Hall
North Tonawanda, NY 14120**

Dear Honorable Body:

Per amended Certification of Eligibles List from the Niagara County Civil Service Commission, please be advised that I have appointed Patricia H. Yahr of 365 Roncroff Drive as Registrar of Vital Statistics effective 4/5/99.

**Respectfully,
Ronald R. Dawson
Mayor**

**MOVED by Alderman Schwandt SECONDED by Alderman Barberio
That the aforementioned communication be received and filed.
CARRIED.**

**I.2
Mayor**

April 16, 1999

**Common Council
City Hall
North Tonawanda, NY 14120**

Dear Honorable Body:

I am officially soliciting a council resolution that requests my signature to formalize the tax agreements the City Attorney's office has negotiated with Dudley Turecki. It is my opinion that entering into these tax agreements is not in the best interest of the city.

**Respectfully,
Ronald R. Dawson
Mayor**

**MOVED by Alderman Wudyka SECONDED by Alderman Kiedrowski
That the Common Council hereby holds the aforementioned communication for further consideration.
CARRIED.**

II.
Attorney

April 14, 1999

**Honorable Mayor and Common Council
 216 Payne Avenue
 North Tonawanda, NY 14120**

**Re: Collective Bargaining Agreement between the City
 and North Tonawanda Unit, Local 832**

Dear Honorable Body:

The city and the CSEA union met on seven occasions to negotiate a successor agreement. The union voted to accept the most recent contract proposal discussed between the two parties. A Memorandum of Agreement for the contract is attached hereto.

The following are the significant changes to the agreement (the actual changes are in the Memorandum):

- 1. A four-year agreement, from January 1, 1999 through December 31, 2002.**
- 2. A reduction in time for temporary vacancies from 90 days to 60 days.**
- 3. Salary increases of 2.75% for 1999 and 2000; and salary increases of 3.25% for 2001 and 2002.**
- 4. An employee terminated for cause will not be entitled to any unused vacation in the year in which he is terminated.**
- 5. To be eligible for paid leave for the first 40 days of a compensable injury under Section 11.12 of the agreement, the employee must cooperate with the city regarding worker's compensation and with the case management personnel.**
- 6. The city is offering a \$500.00 incentive for employees to change medical coverage to an HMO from traditional Blue Cross/Blue Shield. The employee must remain off Blue Cross/Blue Shield for three years or return the incentive.**
- 7. Employees hired after August 1, 1986, (employees receiving one day of sick leave per month) will require a lower amount of sick leave at retirement to receive a percentage of medical insurance coverage until age 65.**
- 8. An increase of \$3,000.00 in the optical fund.**
- 9. The city will offer the union the city's deferred compensation plan.**
- 10. The city will offer the union a "Cafeteria Plan" pursuant to Section 125 of the Internal Revenue Code.**

These are the terms that have been discussed at recent workshop sessions. The Union ratified the agreement at its meeting held on Wednesday, April 7, 1999. If you concur with these provisions, please authorize the Mayor to sign the Collective Bargaining Agreement encompassing these terms.

Thank you very much for your attention to this matter and, if you have any questions, please do not hesitate to call.

**Very truly yours,
 Robert Sondel
 Assistant City Attorney**

Dear Mayor Dawson and Common Council Members:

Please find attached a renewal agreement between the City and the Niagara County Office for the Aging for assistance for the City's medical transportation program.

This agreement is for one year and subsidizes employee costs up to \$2,750.

I have requested that the City Attorney review and approve this agreement.

Therefore, I am requesting that Your Honorable Body authorize the Mayor to execute this agreement on behalf of the City.

Thank you for your consideration.

Sincerely,
John P. Silsby
Director of Youth, Recreation & Parks

MOVED by Alderman Barberio **SECONDED** by Alderman Schwandt
That the Common Council hereby authorizes the Mayor to execute the renewal agreement between the City and the Niagara County Office for the Aging for assistance for the City's medical transportation program.
CARRIED.

XXV.
Monthly Reports

.1 City Clerk	.4 Police Dept.
.2 Building Inspector	.5 Youth & Recreation
.3 Fire Dept.	.6 Vital Statistics

MOVED by Alderman Kiedrowski **SECONDED** by Alderman Barberio
That the aforementioned reports be received and filed.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Nor Ton Red Jacket Club Inc.

April 6, 1999

Alderman Scott Kiedrowski
830 Deerfield
North Tonawanda, NY 14120

Dear Scott:

As you know, on Saturday, June 12, 1999, the Nor-Ton Red Jacket Club, Inc. will be holding "Hike, Bike or Canoe for Kids '99" at Donald F. Miller Park. We would like to hang a street banner across Payne Avenue advertising this event, from about May 24 until June 14, 1999. Would you, at an appropriate time, please present this to the council for approval?

Once again, thank you for your assistance. If you have any questions please give me a call.

Sincerely,
Karl Heilemann
694-9491

MOVED by Alderman Kiedrowski SECONDED by Alderman Barberio
That the Common Council hereby grants permission for Nor-Ton Red Jacket Club, Inc. to
hang a street banner across Payne Avenue from May 24 until June 14, 1999 for their
"Hike, Bike or Canoe for Kids '99" at Donald F. Miller Park on June 12, 1999.
CARRIED.

B.
Kervin J. Selover
Dennis T. Kirst
Nancy M. Zmuda
Donald E. Alesse
Susan M. Alesse

April 13, 1999

Please act on my request to become a Commissioner of Deeds at the earliest possible time:

Kervin J. Selover, 1416 Master Street, North Tonawanda
Dennis T. Kirst, 91 Dale Drive, North Tonawanda
Nancy M. Zmuda, 484 Walck Road, North Tonawanda
Donald E. Alesse, 873 Payne Avenue, North Tonawanda
Susan M. Alesse, 873 Payne Avenue, North Tonawanda

MOVED by Alderman Schwandt SECONDED by Alderman Barberio
That the Common Council hereby appoints the following as Commissioners of Deeds for
the City of North Tonawanda effective April 21, 1999 and ending April 20, 2001:

Kervin J. Selover, 1416 Master Street, North Tonawanda
Dennis T. Kirst, 91 Dale Drive, North Tonawanda
Nancy M. Zmuda, 484 Walck Road, North Tonawanda
Donald E. Alesse, 873 Payne Avenue, North Tonawanda
Susan M. Alesse, 873 Payne Avenue, North Tonawanda

CARRIED.

C.
Bill Davignon

31 Stenzil Street
No. Tonawanda, NY 14120
April 15, 1999

City of No. Tonawanda
Michael Cox - City Clerk
216 Payne Avenue
North Tonawanda, NY 14120

Dear Common Council:

On behalf of the Stenzil Street Block Party Committee I am requesting permission to use
Stenzil St., from Phillip St. west to Riverview Ave., for our "Block Party" on Saturday,
August 7, 1999 from 10 a.m. - 10 p.m. We would also like the use of DPW blockades to
block-off the street accordingly.

Thank you for your time and consideration of our request.

Sincerely yours,
Bill Davignon

MOVED by Alderman Barberio**SECONDED by Alderman Schwandt**
That the Common Council hereby grants permission to Bill Davignon to use Stenzil St., from Phillip St. west to Riverview Ave., for a "Block Party" on Saturday, August 7, 1999 from 10 a.m. - 10 p.m. with the use of DPW blockades to block-off the streets.
CARRIED.

D.
North Tonawanda Catholic
Consolidated School

April 14, 1999

Mayor, City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mr. Mayor:

On June 11th, 12th and 13th, 1999, North Tonawanda Catholic School will hold it's 5th annual Lawn Fete on the Grounds of St. Albert the Great Church, Niagara Falls Blvd. All proceeds from this Lawn Fete will be used for the support and improvement of our school.

In conjunction with the Lawn Fete, we will be holding our 3rd annual "5K RUN FOR EDUCATION" which is being sponsored by the Knights of Columbus, Madonna Council. This involves a 5K race and a fun run/walk (1 mile). The race and fun run will begin at 11:00 AM on the 13th of June. It will start at the corner of Lyric and Majestic Lane, proceed to Erie Avenue, to Wurlitzer Dr., to Vanderbilt Avenue, to Deerfield Drive, to Ohio Street, to Niagara Falls Blvd., through the parking lot at the front of the old Wurlitzer Bldg. and end where it started on Lyric Ave.

Concerning the Lawn Fete and 5K Run, we are requesting assistance from North Tonawanda for certain services that will make the weekend a success. Certain items will be needed beginning on Friday, June 11th. These are as follows:

- **A Trash Packer**
- **Some Snow Fencing**
- **Garbage Cans**
- **Picnic Tables**
- **Permission and assistance to place a banner over Payne Avenue (Early May)**
- **Street cones for reducing traffic on Erie Avenue for the length of time that the runners are on the street. (5K Run and Fun Run on 6/13)**
- **Police assistance for traffic control**
- **No Parking signs for the right hand side of Wurlitzer, Vanderbilt and Deerfield in the direction of the race. Also No Parking signs for the right hand side of Lyric facing in the direction of the race.**

For the first time this year, we are planning to open the event on Friday with a small parade. We are requesting permission to hold the parade which will tentatively begin in the Coach USA parking lot on Erie Avenue, move down Erie Avenue, turn at Lyric and end behind St. Albert's church, just past the corner of Majestic Lane. We would hope to receive approval and come police support for the short time we will be on Erie Avenue. The Parade is scheduled to begin at 5:45 p.m.

We would like to take this opportunity to again thank the City of North Tonawanda for its support during the previous years as we know we can count on your continuous support this year. If you should have any questions, please contact Joseph Suto at 692-9201, Russ Trippe (Race Director) 731-3078 or me at 692-6906.

Sincerely,
Lawrence J. Pfalzer Jr.
Co-Chairperson

MOVED by Alderman Schwandt SECONDED by Alderman Barberio
That the Common Council hereby grants permission for the North Tonawanda Catholic School to:

- use city equipment for their 5th Annual Lawn Fete on the grounds of St. Albert the Great Church, Niagara Falls Blvd., on June 11-13, 1999
- to hold a "5K Run for Education" on June 13, 1999
- to hold a parade on June 11, 1999
- and to hang a banner across Payne Avenue the early part of May.

CARRIED.

E.
Barbara W. Klenke

April 12, 1999

**City Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120**

I would like to be considered for one of the available positions on the Board of Assessment Review. I have included my resume and references. Thank-you for your time.

Barbara W. Klenke

Elio D'Angelo

**878 Ohio Street
N. Tonawanda, NY 14120
April 19, 1999**

**Members of the North Tonawanda Common Council
City Hall
North Tonawanda, NY 14120**

Dear Common Council Members:

I am requesting that I, Elio D'Angelo, be reappointed as a member of the Assessment Review Board. I have been a member of the Review Board for a number of years and I wish to continue serving the city in this capacity. I feel that my qualifications are an asset to the board.

Thank you for your consideration.

**Sincerely,
Elio D'Angelo**

MOVED by Alderman Kiedrowski SECONDED by Alderman Schwandt
That the Common Council hereby reappoints Elio D'Angelo of 878 Ohio St., North Tonawanda, as a member of the Board of Assessment and Review effective April 20, 1999 and expiring September 30, 2003, and further holds the request of Barbara W. Klenke.
CARRIED.

F.
**Michael A. Addy
Canal Fest Committee**

March 2, 1999

Canal Fest requests the following:

1. The use of Gateway Park between Main Street and Sweeney Street for the purpose of setting up tents by our members, and for the use of entertainment.
2. The use of Webster Street on the east side for the purpose of setting up tents and for the partial use of the Craft Show.
3. The use of Webster Street for the Parade on Tuesday, July 20, 1999.
4. We would also like the use of Webster Street between Sweeney and Goundry Street for the use of our two-day Craft Show on July 24th and 25th.
5. We would like the use of Tremont Street between Webster and Main Streets for the use of the Craft Show on July 24th and July 25th. We would also like the use of Tremont Street on July 22nd for the use of the Diaper Derby.
6. We would also like the use of Main Street between the Elk's driveway and Goundry Street for the Craft Show as well.
7. We would like the use of the DPW, Water Dept., Parks and Recreation, Fire Dept. and Police Dept., plus the same supplies and services that were supplied by these Depts. in previous years.
8. We would also like the permission to close off Webster Street between Tremont and Sweeney as we have in the past at night.
9. Also consideration of the resolution to stop animals from coming into the campus area.
10. We also ask for the use of anything I may have forgotten to ask for as we have used it in previous years.

Thank you.

Michael A. Addy, President

MOVED by Alderman Schwandt

SECONDED by Alderman Barberio

That the Common Council hereby grants permission to Canal Fest of the Tonawandas, Inc. to use the following streets and/or properties of the City of North Tonawanda, along with the use of various departments of the City, as follows:

Gateway Park between Main St. and Sweeney, Webster St. between Sweeney & Goundry Sts. and Main St. between Elk's driveway and Goundry St., Tremont St. between Webster & Main Sts., for the Craft Show, Webster St. for the parade, and Tremont St. between Main & Webster for the Diaper Derby, and Webster St. between Tremont & Sweeney every evening. And further, animals will not be allowed at the Canal Fest campus.

CARRIED.

G.

Columbia Hook & Ladder - Re: Volunteer Fireman:

Stanley M. Crevar - 50 years

MOVED by Alderman Barberio SECONDED by Alderman Schwandt

That the proper exemption certificate be issued to Stanley M. Crevar.

CARRIED.

MOVED by Alderman Wudyka SECONDED by Alderman Reidenouer

I hereby request the Common Council to instruct our City Attorney to seek court permission to allow the City of North Tonawanda to sell any personal properties on the Roblin Steel Property site. These monies would be used to remove any tires and junk left by the previous owners.

CARRIED.

MOVED by Alderman Kiedrowski SECONDED by Alderman Schwandt
I hereby request the Common Council to change the name of Lyric Avenue to Melody Lane and further instruct the Department of Public Works to make the necessary sign changes.
CARRIED.

MOVED by Alderman Reidenouer SECONDED by Alderman Barberio
That the Common Council hereby directs the Department of Public Works to install a "Bus Parking Only, Sunday 9 A.M. - 1 P.M." sign on Bryant Street between Miller and Wheatfield Sts.
CARRIED.

AUDIENCE PARTICIPATION

Kathy Cochran, 362 Adelaide Pl., asked if Dennis Palmer could join the Board of Assessment and Review.

Bill Paton, 55-5th Ave., asked the City Attorney if Turecki could sue the city.

Ray Stanley, 296 Sweeney St., questioned Alderman Wudyka about his negative vote on reval.

Dennis Palmer, 364 Payne Ave., wanted to know if there is a truck route in the city, who authorizes the installation of traffic signs, asked whether the DPW has been informed about the legal & illegal signs in city, and if the NTPD has been notified about the 5 ton truck weight limit signs.

Sonia Dusza, 123 Miller St., spoke about transportation in the city and that we need better planning.

Diane Weston, from Kenmore, asked when her requests to use a city park was going to be on the agenda.

ADJOURNMENT

MOVED by Alderman Reidenouer SECONDED by Alderman Schwandt
That this regular session of the Common Council be and hereby is adjourned.
CARRIED.

Time of Adjournment: 8:33 p.m.

Respectfully submitted,

Michael D. Cox
City Clerk